

Agricultural Marketing Service, USDA

§ 944.31

(c) The term *importation* means release from custody of the United States Customs Service. The term *commercial processing into products* means the manufacture of avocado product which is preserved by any recognized commercial process, including canning, freezing, dehydrating, drying, the addition of chemical substances, or by fermentation.

(d) Any person may import up to 55 pounds of avocados exempt from the requirements specified in this section.

(e) Any lot or portion thereof which fails to meet the import requirements, and is not being imported for purposes of consumption by charitable institutions, distribution by relief agencies, seed, or commercial processing into products; prior to or after reconditioning may be exported or disposed of under the supervision of the Federal or Federal-State Inspection Service with the costs of certifying the disposal of such lot borne by the importer.

(f) The grade, size, and quality requirements of this section shall not be applicable to avocados imported for consumption by charitable institutions, distribution by relief agencies, seed, or commercial processing into products, but shall be subject to the safeguard provisions contained in § 944.350.

[50 FR 21032, May 22, 1985, as amended at 58 FR 69185, Dec. 30, 1993]

§ 944.31 Avocado import maturity regulation.

(a) Pursuant to section 8e [7 U.S.C. 608e-1] of the Agricultural Marketing

Agreement Act of 1937, as amended [7 U.S.C 601-674], and Part 944—Fruits; Import Regulations, the importation into the United States of any avocados, except the Hass, Fuerte, Zutano, and Edranol varieties, is prohibited unless:

(1) Any portion of the skin of the individual avocados has changed to the color normal for that fruit when mature for those varieties which normally change color to any shade of red or purple when mature, except for the Linda variety; or

(2) Such avocados meet the minimum weight or diameter requirements for the Monday nearest each date specified, through the Sunday immediately prior to the nearest Monday of the specified date in the next column, for each variety listed in the following table I: Provided, that avocados may not be handled prior to the earliest date specified in column A of such table for the respective variety; Provided further, There are no restrictions on size or weight on or after the date specified in column D; Provided further, That up to a total of 10 percent, by count to the individual fruit in each lot may weigh less than the minimum specified or be less than the specified diameter, except that no such avocados shall be over 2 ounces lighter than the minimum weight specified for the variety: Provided further, That up to double such tolerance shall be permitted for fruit in an individual container in a lot.

TABLE 1

Variety	A date	Min. wt.	Min. diam.	B date	Min. wt.	Min. diam.	C date	Min. wt.	Min. diam.	D date
Dr. Dupuis										
#2	5-30	16	3 ⁷ / ₁₆	6-13	14	3 ⁵ / ₁₆	7-04	12	3 ² / ₁₆	7-18
Simmons ...	6-20	16	3 ⁹ / ₁₆	7-04	14	3 ⁷ / ₁₆	7-18	12	3 ¹ / ₁₆	8-01
Pollock	6-20	18	3 ¹¹ / ₁₆	7-04	16	3 ⁷ / ₁₆	7-18	14	3 ¹ / ₁₆	8-01
Hardee	6-27	16	3 ⁹ / ₁₆	7-04	14	2 ¹⁴ / ₁₆	7-11	12	7-25
Nadir	6-27	14	3 ³ / ₁₆	7-04	12	3 ¹ / ₁₆	7-11	10	2 ¹⁴ / ₁₆	7-18
Ruehle	7-04	18	3 ¹¹ / ₁₆	7-11	16	3 ⁹ / ₁₆	8-01	12	3 ⁵ / ₁₆	8-15
				7-18	14	3 ⁷ / ₁₆	8-08	10	3 ³ / ₁₆	
Bernecker ..	7-18	18	3 ⁹ / ₁₆	8-01	16	3 ⁵ / ₁₆	8-15	14	3 ⁴ / ₁₆	8-29
Miguel (P)	7-18	22	3 ¹³ / ₁₆	8-01	20	3 ¹² / ₁₆	8-15	18	3 ¹⁰ / ₁₆	8-29
Nesbitt	7-18	22	3 ¹² / ₁₆	8-01	16	3 ⁵ / ₁₆	8-08	14	3 ³ / ₁₆	8-22
Tonnage	8-01	16	3 ⁹ / ₁₆	8-15	14	3 ⁴ / ₁₆	8-22	12	3 ⁹ / ₁₆	8-29
Waldin	8-01	16	3 ⁹ / ₁₆	8-15	14	3 ⁷ / ₁₆	8-29	12	3 ⁴ / ₁₆	9-12
Tower II	8-01	14	3 ⁹ / ₁₆	8-15	12	3 ⁴ / ₁₆	8-29	10	3 ² / ₁₆	9-05
Beta	8-08	18	3 ⁹ / ₁₆	8-15	16	3 ⁵ / ₁₆	8-29	14	3 ³ / ₁₆	9-05
Lisa (P)	8-08	12	3 ² / ₁₆	8-15	11	3 ⁹ / ₁₆	8-22

TABLE 1—Continued

Variety	A date	Min. wt.	Min. diam.	B date	Min. wt.	Min. diam.	C date	Min. wt.	Min. diam.	D date
Black Prince	8-15	28	4 ¹ / ₁₆	8-29	23	3 ¹⁴ / ₁₆	9-12	16	3 ⁹ / ₁₆	10-03
Loretta	8-22	30	4 ³ / ₁₆	9-05	26	3 ¹⁵ / ₁₆	9-19	22	3 ¹ / ₂	9-26
Booth 8	8-29	16	3 ⁹ / ₁₆	9-12	14	3 ⁹ / ₁₆	9-26	12	3 ³ / ₁₆	10-24
							10-10	10	3 ¹ / ₁₆	
Booth 7	8-29	18	3 ¹³ / ₁₆	9-12	16	3 ¹⁰ / ₁₆	9-26	14	3 ⁹ / ₁₆	10-10
Booth 5	9-05	14	3 ⁹ / ₁₆	9-19	12	3 ⁹ / ₁₆				10-03
Choquette	9-26	28	4 ⁴ / ₁₆	10-17	24	4 ¹ / ₁₆	10-31	20	3 ¹ / ₂	11-14
Hall	9-26	26	3 ¹⁴ / ₁₆	10-10	20	3 ⁹ / ₁₆	10-24	18	3 ⁹ / ₁₆	11-07
Lula	10-03	18	3 ¹¹ / ₁₆	10-10	14	3 ⁹ / ₁₆	10-31	12	3 ³ / ₁₆	11-14
Monroe	11-07	26	4 ³ / ₁₆	11-21	24	4 ¹ / ₁₆	12-05	20	3 ¹ / ₂	1-02
							12-19	16	3 ⁹ / ₁₆	
Arue	5-16	16		5-30	14	3 ³ / ₁₆	6-20	12		7-04
Donnie	5-23	16	3 ⁹ / ₁₆	6-06	14	3 ⁴ / ₁₆	6-20	12		7-04
Fuchs	6-06	14	3 ⁹ / ₁₆	6-20	12	3 ⁹ / ₁₆				7-04
K-5	6-13	18	3 ⁹ / ₁₆	6-27	14	3 ³ / ₁₆				7-11
West Indian Seedling ¹	6-20	18		7-18	16		8-22	14		9-19
Gorham	7-04	29	4 ⁵ / ₁₆	7-18	27	4 ³ / ₁₆				8-15
Biondo	7-11	13								8-15
Petersen	7-11	14	3 ⁹ / ₁₆	7-18	12	3 ⁹ / ₁₆	7-25	10	3 ⁹ / ₁₆	8-08
232	7-18	14		8-01	12					8-15
Pinelli	7-18	18	3 ¹² / ₁₆	8-01	16	3 ¹⁰ / ₁₆				8-15
Trapp	7-18	14	3 ¹⁰ / ₁₆	8-01	12	3 ⁷ / ₁₆				8-15
K-9	8-01	16								8-22
Christina	8-01	11	2 ¹⁴ / ₁₆							8-22
Catalina	8-15	24		8-29	22					9-19
Blair	8-29	16	3 ⁹ / ₁₆	9-12	14	3 ⁵ / ₁₆				10-03
Guatemalan Seedling ²	9-05	15		10-03	13					12-05
Marcus	9-05	32	4 ¹² / ₁₆	9-19	24	4 ⁵ / ₁₆				10-31
Brooks 1978	9-05	12	3 ⁴ / ₁₆	9-12	10	3 ¹ / ₁₆	9-19	8	2 ¹⁴ / ₁₆	10-10
Rue	9-12	30	4 ³ / ₁₆	9-19	24	3 ¹⁵ / ₁₆	10-03	18	3 ⁹ / ₁₆	10-17
Collinson	9-12	16	3 ¹⁰ / ₁₆							10-10
Hickson	9-12	12	3 ¹ / ₁₆	9-26	10	3 ⁹ / ₁₆				10-10
Simpson	9-19	16	3 ⁹ / ₁₆							10-10
Chica	9-19	12	3 ⁷ / ₁₆	10-03	10	3 ⁴ / ₁₆				10-17
Leona	9-26	18	3 ¹⁰ / ₁₆	10-03	16					10-10
Melendez	9-26	26	3 ¹⁴ / ₁₆	10-10	22	3 ¹ / ₁₆	10-24	18	3 ⁷ / ₁₆	11-07
Herman	10-03	16	3 ⁹ / ₁₆	10-17	14	3 ⁹ / ₁₆				10-31
Pinkerton (CP)	10-03	13	3 ⁹ / ₁₆	10-17	11	3 ⁹ / ₁₆	10-31	9		11-14
Taylor	10-10	14	3 ⁵ / ₁₆	10-24	12	3 ² / ₁₆				11-07
Ajax (B-7)	10-10	18	3 ¹⁴ / ₁₆							10-31
Booth 3	10-10	16	3 ⁹ / ₁₆	10-17	14	3 ⁹ / ₁₆				10-31
Semil 34	10-17	18	3 ¹⁰ / ₁₆	10-31	16	3 ⁹ / ₁₆	11-14	14	3 ⁹ / ₁₆	11-28
Semil 43	10-24	18	3 ¹⁰ / ₁₆	11-7	16	3 ⁹ / ₁₆	11-21	14	3 ⁵ / ₁₆	12-05
Booth 1	11-14	16	3 ¹² / ₁₆	11-28	12	3 ⁹ / ₁₆				12-12
Zio (P)	11-14	12	3 ¹ / ₁₆	11-28	10	2 ¹⁴ / ₁₆				12-12
Gossman	11-28	11	3 ¹ / ₁₆							12-26
Brookslate	12-05	18	3 ¹³ / ₁₆	12-12	16	3 ¹⁰ / ₁₆	1-02	12	3 ⁹ / ₁₆	1-30
				12-19	14	3 ⁸ / ₁₆	1-16	10		
Meya (P)	12-12	13	3 ² / ₁₆	12-26	11	3 ⁹ / ₁₆				1-09
Reed (CP)	12-12	12	3 ⁴ / ₁₆	12-26	10	3 ³ / ₁₆	1-09	9	3 ⁹ / ₁₆	1-23

¹ Avocados of the West Indian type varieties and seedlings not listed elsewhere in table 1.
² Avocados of the Guatemalan type varieties and seedlings, hybrid varieties and seedlings, and unidentified seedlings not listed elsewhere in table 1.

(b) The term *diameter* means the greatest dimension measured at a right angle to a straight line from the stem to the blossom end of the fruit.

(c) The term *importation* means release from custody of the United States Customs Service. The term *commercial*

processing into products means the manufacture of avocado product which is preserved by any recognized commercial process, including canning, freezing, dehydrating, drying, the addition of chemical substances, or by fermentation.

Agricultural Marketing Service, USDA

§ 944.106

(d) Any person may import up to 55 pounds of avocados exempt from the requirements specified in this section.

(e) The Federal or Federal-State Inspection Service, Fruit and Vegetable Division, Agricultural Marketing Service, United States Department of Agriculture, is designated as the governmental inspection service for certifying the grade, size, quality, and maturity of avocados imported into the United States. Inspection by the Federal or Federal-State Inspection Service with evidence thereof in the form of an official inspection certificate, issued by the respective service, applicable to the particular shipment of avocados, is required on all such imports. The inspection and certification services will be available upon application in accordance with the Regulations Governing Inspection, Certification and Standards of Fresh Fruits, Vegetables, and Other Products (7 CFR part 51), and in accordance with the regulation designating inspection services and procedure for obtaining inspection and certification (7 CFR 944.400).

(f) Any lot or portion thereof which fails to meet the import requirements, and is not being imported for purposes of consumption by charitable institu-

tions, distribution by relief agencies, seed, or commercial processing into products; prior to or after reconditioning may be exported or disposed of under the supervision of the Federal or Federal-State Inspection Service with the costs of certifying the disposal of such lot borne by the importer.

(g) The maturity requirements of this section shall not be applicable to avocados imported for consumption by charitable institutions, distribution by relief agencies, seed, or commercial processing into products, but such avocados shall be subject to the safeguard provisions contained in § 944.350.

[59 FR 30871, June 16, 1994, as amended at 61 FR 13058, Mar. 26, 1996; 64 FR 53186, Oct. 1, 1999]

§ 944.106 Grapefruit import regulation.

(a) Pursuant to Section 8e [7 U.S.C. Section 608e-1] of the Agricultural Marketing Agreement Act of 1937, as amended [7 U.S.C. 601-674], and Part 944—Fruits; Import Regulations, the importation into the United States of any grapefruit is prohibited unless such grapefruit meet the following minimum grade and size requirements for each specified grapefruit classification:

Grapefruit classification (1)	Regulation period (2)	Minimum grade (3)	Minimum diameter (inches) (4)
Seedless, red	On and after 11/13/00	U.S. No. 1	$\frac{35}{16}$
Seedless, except red	On and after 9/1/94	U.S. No. 1	$\frac{39}{16}$

(b) The term *grapefruit* is defined as citrus paradisi, MacFadyen.

(c) Terms and tolerances pertaining to grade and size requirements, which are defined in the United States Standards for Grades of Florida Grapefruit (7 CFR 51.750-51.784), and in Marketing Order No. 905 (7 CFR §§ 905.18 and 905.306), shall be applicable herein.

(d) The Federal or Federal-State Inspection Service, Fruit and Vegetable Division, Agricultural Marketing Service, United States Department of Agriculture, is designated as the governmental inspection service for certifying the grade, size, quality, and maturity of grapefruit imported into the United States. Inspection by the Fed-

eral or Federal-State Inspection Service with evidence thereof in the form of an official inspection certificate, issued by the respective service, applicable to the particular shipment of grapefruit, is required on all such imports. The inspection and certification services will be available upon application in accordance with the Regulations Governing Inspection, Certification and Standards of Fresh Fruits, Vegetables, and Other Products (7 CFR part 51), and in accordance with the regulation designating inspection services and procedure for obtaining inspection and certification (7 CFR 944.400).

(e) Any lot or portion thereof which fails to meet the import requirements,